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Attorneys for Plaintiff
VERIGY US, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VERIGY US, INC, a Delaware Corporation

Plaintiff,

vs.

ROMI OMAR MAYDER, an individual;
WESLEY MAYDER, an individual; SILICON
TEST SYSTEMS, INC., a California Corporation;
and SILICON TEST SOLUTIONS, LLC, a
California Limited Liability Corporation,
inclusive,

Defendants.

Case No. C07 04330 RMW (HRL)

**DECLARATION OF MELINDA M.
MORTON IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE DOCUMENTS UNDER
SEAL**

Judge: Honorable Ronald M. Whyte
Ctrm: 6

Complaint Filed: August 22, 2007
Trial Date: None Set

AND RELATED CROSS-ACTIONS

1 I, Melinda M. Morton, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am a partner with the law firm of Bergeson, LLP, counsel of record for Plaintiff
4 Verigy US, Inc. ("Verigy" or "Plaintiff") in the above-captioned action. I have personal
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Administrative Motion for Leave to
8 File Document Under Seal.

9 3. I have reviewed the following materials ("the Materials"): Portions of the Motion
10 for Summary Adjudication of its 3rd and 8th Claims for Relief; Supporting Memorandum of
11 Points and Authorities; Portions of the Declaration of Melinda M. Morton in Support of Verigy's
12 Motion for Summary Adjudication of its 3rd and 8th Claims for Relief and Exhibits A - D thereto;
13 Exhibit A to the Declaration of Amy Price.

14 4. I have determined that these Materials (hereafter "the Materials") each disclose
15 information that has been designated as "Highly Confidential—Attorneys' Eyes Only" or
16 "Confidential" by Verigy because they contain confidential, proprietary and trade secret
17 information relating to Verigy's design specifications, technical procurement processes; research
18 regarding customer device requirements; block diagrams; product development and strategic
19 plans, product strategy; forecasted business demand; actual product consumption; business
20 processes and tools; product technology roadmaps; product features and performance; product
21 architecture; product development schedules; qualification processes and results; contract
22 manufacturer agreements and business relationship; inventions; provisional patent applications;
23 and future manufacturing strategies (collectively, the "Trade Secrets").

24 5. The confidentiality interest of the parties therefore overcomes the right of public
25 access to the record, as a substantial probability exists that the parties' overriding confidentiality
26 interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly
27 tailored and no less restrictive means exist to achieve this overriding interest.

28 I declare under penalty of perjury under the laws of the United States of America that the

